

REMARKS/ARGUMENTS

Summary. In response to the objections and rejections in the office action, applicant cancels the claims pending in the application and requests entry of 57 new claims, containing 3 independent claims and 54 dependent claims.

The original application was filed with 58 claims, including 17 independent claims. Since there are fewer claims after the amendment in respect to both total and independent claims, there are no additional fees due as a result of the amendment.

The following numbered paragraphs correspond to the sequence of actions taken or explained in the Office Action:

1. Applicant acknowledges and confirms the election/restrictions stated by the examiner.
2. Applicant acknowledges examiner's acceptance of the drawings.
3. Claim Rejections – 35 USC 101. Applicant responds to examiner's rejection based on non-statutory subject matter by cancelling the claims and adding new claims that avoid mixing method and apparatus claims.
4. Claim Rejections – 35 USC 112. Applicant responds to examiner's rejection based on the finding that the claims are not supported in the specification by adding new claims that are described in the specification. A table below has been prepared to show support for the new claims in the description. The citations are exhaustive of the support in the description. Other citations of support beyond those listed are possible.

Claim No.	Element	Description Support
276 - 296		Fig. 3, Figs. 9-12 and Fig.15, Fig.21, Fig. 29 and Fig. 32-34
276	Preamble	p.1 line 5, p.4 lines 13-19, p.12, line 13-14 and p.17, line 8
	Para (a)	p.7, line 2, p.8 line 15, p.23, lines 14-17, p. 34, lines 8-16
	Para (b)	p.4, lines 15-18, p.14, lines 7-14, p.18 lines 18-19, p.23, lines 14-17, p. 34, lines 8-16
	Para (c) and (d)	p.5, lines 5-6, p.18 lines 18-19, p.23, lines 14-17, p.35, lines 1-8
	Para (e)	p.12, line 13-18, p.18 lines 18-19, p. 23, lines 14-17, p. 35, lines 1-8
	Para (e)(1)	p.18, lines 18-19 p20, p.23, lines 14-17, p.29 lines 5-19, p.30 lines 13-19, p.35, lines 1-8
	Para (e)(2)	p.20, p.21, lines 2-4, and p.22, line 22 - p.23, line 3
277		p.24, lines 1-3, p.29, lines 13-14, p.39, line 16
278		p.30, line 19 - p.31, line 2
279		p.28, line 16 - p.30, lines 2-3, p.30 lines 13-19
280 - 281		p.31, lines 1-2, p.59 lines 14-19, page 60 lines 16-19
282 - 283		p.44, lines 6-17, p.47 lines 1-4
284		p.32 lines 13-18, p.35, lines 2-8, p.42, lines 1-2 and p.54, lines 18-19
285		p.30 lines 2-6, p.31, lines 1-2
286		p.30 lines 13-19, p.44, line 17 - p.45, line 3, p.52, lines 7- 9
287		p.46, lines 1-14, p.59 lines 14-19, p.60 lines 16-19
288 - 290		p.39 lines 6-12, p.42, lines 14-18
291		p.16, line 3, p.34 lines 6-7, p.35 lines 6-8, p.53, line 5, p.54, lines 18-19
292		p.17, line 8, p.18, line 7
293		p.19, lines 9-11, p.54, lines 8-9, p. 58 lines 1-2 p.62, line 8
294		p.4, lines 15-18, p.14, lines 7-14
295		p.33 lines 2-12, p.60, lines 4-14
296		p.25, line 9 - p.26, line 11, p.35 lines 4-5
297-308		Support parallels that of claims 276 - 296
309-332		Support parallels that of claims 276 - 296

5. Claim Rejections – 35 USC 102. Examiner cites U.S. Patent 7,269,632 to Edeker, et al. (Edeker) as anticipating the claims as best understood and rejecting them under subsection 102(e).

Response. The new claims emphasize the distinct differences between the present invention and Edeker.

Edeker teaches a client/server for two distinct avatars in a peer-to-peer arrangement, just like a browser/client accessing a server. Col.2, lines 50-54. Thus, Edeker teaches a server to act as a go-in-between a receiving avatar from a server and supplying its own avatar to another client.

The present invention is fundamentally different because it does not teach client/server for the same avatar, that is, Edeker does not teach supplying the same received avatar as in the present invention. Thus, Edeker's disclosure does not teach the fetching/receiving and supplying the same content, that is, acting as a go in between two computers for the same content.

Secondly, Edeker teaches its peer-to-peer arrangement for static content and the new claims make clear that the present invention involves dynamic content. Col. 21, lines 33-36; Col.24, lines 43-48.

Edeker teaches transmission of dynamic content only between peer-to-peer, passive sever (from local host to remote host), but then proceeds in a disconnect mode. Col. 21, lines 28-36. Thus, local host to remote host communication is a peer-to-peer. Col.21, lines 33-36.

The present invention enables a dynamic-content host to provide its contents to a broader base of other virtual-content hosts. It uniquely provides a greater choice of dynamic and virtual contents available to users without added complexities and without replicating content and hosting infrastructure.

Edeker does not disclose or make obvious the present invention, since Edeker does not teach the go-in-between virtual content presentation. Nor does Edeker teach how to reduce complexities and how to reduce replication efforts with content and hosting infrastructure.

Edeker requires a hosting infrastructure that replicates the Internet communication by requiring a Session Server (col. 21, lines 25-26; col. 22, lines

54-67; (Fig. 12); col. 23, lines 46-67) for each regional group of client/servers (peer-to-peer) and a plurality of Name Servers (DNS). Col.23, lines 15-23. For Edeker to function, a micro-Internet infrastructure is required at each region where it is implemented. Col.6, lines 59-67; col.7, line 1-42 (Fig. 1); Col.31, lines 22-25. This infrastructure is avoided in the present invention.

Edeker teaches virtuality at the host and it is done by having all the contents (avatar) saved on the host/client computer. As an avatar is first requested by the host/client, it will fetch it directly from the host/server, see above explanation for the Session Server. The heart of the virtuality happens at the host/client computer. Col.16, line 61-67; col.17, lines 1-3.

Edeker teaches that avatars are stored on the host/client where the host/client will execute code related to the avatar along with its static contents such as images. Edeker further teaches that a host/client tries to locate avatars that are cached at its local data servers. Col.10, lines 65-67; col.11, lines 2-4; col.11, lines 13-23; and col.11, lines 29-35.

All avatar data are static data stored on the host/client, very much like a data file. Col.17, lines 44-54.

Static data is fetched from host-to-host and stored locally by the host (cached). Col.12, lines 42-67; col.13, lines 1-28.

Host/client cache data (avatars) are used to process the virtual reality. Col.11, lines 66-67; col.12, lines 1-8; col.12, lines 13-26; and col.18, lines 45-47.

Edeker further teaches that virtuality is intermittent and not always available because of its network-communication and static data-caching construct. Col.12, lines 45-50.

In contrast, the present invention is an e-commerce/e-services virtual environment where an infrastructure is used for all the virtual presentation

without replicating the content or replicating the hosting infrastructure in which it is hosted and without pre-caching static data or the use of intermittent network-communication connections.

The present invention achieves virtuality by using two or more contents from two or more dynamic hosts of content and another host presenting a third-virtual content from the two or more dynamic contents, or, by having at least two dynamic host of content and at least one of them presenting the other host's dynamic content virtually along with its own dynamic content. This is not disclosed in Edeker.

6. Claim Rejections – 35 USC 103. Use of a database table is found to be obvious and unpatentable over Edeker in view of U.S. Patent Application Publication No. 2002/0113809 to Akazawa, et al.

Response. The new claims avoid the Edeker patent and, thus, this rejection is also avoided.

None of the prior art made of record and not relied upon discloses the invention described by applicant's new claims, that is a virtual network that in effect enables on-line users to create and update e-mails which in turn offer others the ability to host e-shops and web sites offering products/services.

Conclusions:

This response is intended to fully respond to the office action mailed 10 JAN. 2008. It is timely filed within the 3-month shortened statutory period.

The existing claims have been canceled and new claims responding to the office action in its entirety have been submitted. No additional claims fees are due as a result of the submitted amendments. No new matter is added to the application by the amendments in this response.

Therefore, applicant respectfully requests further examination of his application based on the amendments submitted, that a timely Notice of Allowance be issued in this case, and that the application be issued as a United States Patent.

Respectfully submitted,

Signed: March 1, 2008



Louis Ventre, Jr.
Registration No. 46254
Registered Patent Attorney
2483 Oakton Hills Drive
Oakton, VA 22124-1530
USPTO Customer Number 24221
Telephone Number: 703-242-1247
Facsimile Number: 703-783-7800